

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

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|------------------------------------|---|------------------------|
| _____ |) | |
| Scottsdale Capital Advisors Corp, |) | |
| and John Hurry |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. _____ |
| |) | |
| The Deal, LLC and William Meagher, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

NOTICE OF REMOVAL

NOW COME defendants The Deal, LLC (“The Deal”) and William Meagher (collectively, the “Defendants”), by and through counsel, Shaheen & Gordon, PA, filing this Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and, in support thereof, state as follows:

1. On or about November 18, 2016 plaintiffs Scottsdale Capital Advisors Corp. (“Scottsdale”) and John Hurry (collectively, the “Plaintiffs”) filed the above entitled action as Civil Case Number 216-2016-CV-00819 in New Hampshire Superior Court, Hillsborough County, Northern District (the “State Court Action”). The Complaint and Demand for Jury Trial filed in the State Court Action (the “Complaint”) alleges defamation, false light invasion of privacy, intentional interference with contractual relations and tortious interference with prospective economic advantage. A copy of the Complaint is annexed hereto as Exhibit 1.

2. The Deal and Mr. Meagher were served with a copy of the Complaint on December 1, 2016 and December 5, 2016 respectively. No other processes, pleadings or orders

have been served upon Defendants or otherwise found in the State Action file at the time of the filing of this removal.

3. This is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1332(a), and is one which may be removed to this Court under 28 U.S.C. § 1441(a), in that it is a civil action between citizens of different states (with citizens of a foreign state as additional parties) and, upon information and belief, the matter in controversy is alleged to exceed the sum or value of \$75,000, exclusive of interest and costs. Because the State Court Action is pending in New Hampshire Superior Court of Hillsborough County, Northern District, removal of the State Court Action to this District Court is proper under 28 U.S.C. §§ 1441(a), 1446(a).

4. This Court has original jurisdiction over this action under 28 U.S.C. § 1332(a)(1), which allows for removal of lawsuits – like this one – between “citizens of different States and in which citizens or subjects of a foreign state are additional parties.” For purposes of determining citizenship of a corporation, a corporation is deemed a citizen of any state in which it has been incorporated and the state where it has its principal place of business. *See* 28 U.S.C. § 1332(c)(1).

5. Plaintiff Scottsdale is an Arizona corporation with its principle place of business in Scottsdale Arizona. *See* Ex. 1 ¶1. Plaintiff Hurry was at the time of filing of this action, and is now, a citizen of Nevada, residing in Glennbrook, Nevada. *Id.* at ¶2.

6. Defendant The Deal is a Delaware limited liability company with its principle place of business in New York, NY. *Id.* at ¶3. Defendant Meagher was at the time of filing of this action, and is now, a citizen of California (*id.* at ¶4), residing in Petaluma, California.

7. For the reasons set forth above, there is complete diversity between the parties for purposes of removal: Plaintiffs are citizens of Nevada and Arizona, respectively, while Defendants are variously citizens of New York, Delaware and California (*see supra* at ¶¶ 5-6.).

8. With respect to the amount in controversy, although Plaintiffs are not permitted to plead a specific amount in controversy under New Hampshire law and have thus not quantified their alleged damages, upon information and belief, the amount in controversy in this Action exceeds the \$75,000 threshold for removal jurisdiction under 28 U.S.C. § 1332(a).

9. Pursuant to 28 U.S.C. § 1446(d), Defendants will promptly give notice of this filing to Plaintiffs and will file a copy of this Notice of Removal with the clerk of the New Hampshire Superior Court of Hillsborough County, Northern Division.

10. Defendants reserve the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendants respectfully request that this Complaint be removed to the United States District Court for the District of New Hampshire.

Respectfully submitted,

The Deal, LLC and William Meagher
By Their Attorneys:

SHAHEEN & GORDON, P.A.

DATED: December 22, 2016

/s/ Steven M. Gordon
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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2016, a copy of the foregoing Notice of Removal has been forwarded to the following in the manner specified herein:

Conventionally Served:
George R. Moore, Esq.
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Devine, Millimet & Branch, P.A.
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*Attorneys for Scottsdale Capital Advisors Corp.
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